Tas Vegas Gazette.

Saturday March 31 1877

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An Important Decision

The new Secretary of the Interior, Carl Schurz, is making some rulings radically at variance with those of his predecessors, and which speak well for the good sense and honest motives of the new Secretary. We take the following decision in relation to the Maxwell Grant, from a report of Land Patents, Decisions and Laws, furnished this paper by JAS. II. MANDEVILLE, Counsel in Land Cases, at Washington, D. C .:

Regarding the survey of the Beaubien and Miranda private land claims in Colorado and New Mexico, Mr. Sccretary Cox. December 31, 1868, Held, "that where a Mexican Colonization Grant is confirmed Under Secretary Schurz we seem in without measurement of boundaries or of distinct specification of the quantity confirm ed, either in the statute or in the report upon which confirmation was made, no greater quantity than eleven square leagues shall be surveyed and set off to each claim ant; that such quantity shall be surveyed in tracts of 11 square leagues each, the gener. al position or place of such tracts to be selected by the grantee, and the tract to be

then surveyed as compactly as practicable.' The United States Supreme Court has recently held the case of John G. Tameling vs. The United States Freehold and Emigration Company: "Congress acted upon the claim as recommended by the Sur veyor General. The confirmation being absolute and unconditional, without any limitation as to quantity, we must regard it as effectual and operative for the entire tract."

ordered, that patents hereafter issue for the tract recommended by nhe Surveyor General and confirmed by an oct of Bongress, notwiths anding it may exceed in amout

eleven equare leagues of land. By the above decision it will be seen that Secretary Schurz proposes to issue patents to all the land embraced within the boundaries of a grant, as confirmed by Congress; that is, he proposes to do his duty simply, and not go directly against the decision of the courts, in executing the laws. In the case of the Maxwell Grant, the Surveyor General of this Territory recommended that it be confirmed by Congress to the grantees, within certain boundaries. According to this recommendation congress confirmed it, to the boundaries and without reference to the quantity of land. That confirmation settled, or should have settled, the whole matter. Congress alone had the right to determine how much land it would grant. If it granted the whole truct, it was the whole tract without reference to quantity. Congress had as much right to quit claim the title of the United States to a million acres in a Mexican Grant, as it had to give a million acres to a railroad corporation. This is Secretary Schurz's opinion; but his predecessor did not think so. Cox said congress only meant eleven square leagues to each grantee, and the Secretary last year ordered the public surveys to be extended over the Maxwell Grant.

This policy of dealing with Mexican Grants was directly in opposi-

we hope to see a new era of improvement in augurated in this Territory, The confirming act of conconfirmed land grants in New Mexthen be bought and sold and mortgaged. It will at once become the basis of security by which money can be obtained to develop the many latent resources of the Territory. It makes but little difference to the whole people to whom the land belongs, so the title is lawfully good in some person. Certainty instead of uncertainty is the object sought. a fair way to realize this certainty in reference to many land titles in New Mexico.

WASHINGTON, D. C., March 19th, 1877. Editor Las Vegas GAZETTE:

The plan advocated by Vice Pre-

sident Wheeler, to avoid the necessity for an extra session of congress, for some strong National Bank, holding a surplus of government bonds, to forward to the Treasury Department an amount of them suf ficient for the maintenance of the Army till December, which are to Mr. Secretay Schurz has accordingly be held as security for a like amount in currency furnished the bank by the government, This puts the bank in the position of simply a government depository, no account, not even one of interest, being kept. Out of the currency thus held, the bank is to honor all requisitions of paymasters, who leave their respective certificates, stating the amount drawn; and its purpose, as collateral, When congress meets in December, leading republican and democratic members are said to stand pledged to early action in passing the army appropriation bill, out of which the paymasters are to be furnished funds to repay the bank the amounts advanced, taking has decided to as once withdraw the up their collateral certificates at the troops from South Carolina and time of payment. This plan is said to be supported by Mr. Evarts, and to be opposed by Secretaries Sherman, Devens and McCrary, as an evasion of the spirit of the law. Busiress men and many members of congress are alverse to au extra session, fearing that it would be taken advantage of to spring upon the country impractical or heretical financial schemes, and open up disprejudice every interest, and disasterously react upon the natural adjustement which our finances will and no further tinkering is attempted through legislation. The nomi-

tion to the constant decisions of the tion from the members of the bar ascourts; but these cabinet officers did sociation, the pretence being that it not seem to know it. We suppose required the highest order of execunewspaper has no right to question tuve ability to fill the place, such, the motives of such honorable men as Mr. Pouglass does not possess. as cabinet officers. We do not. So far as outward manifestations We attribute their foolish decisions, went, the remonstrances were couchnot to a wrong intention, but simply ed in courteous language, which to a lack of knowledge to do right. conclusively proves that the logic of Their acts demonstrated their inca- events has not been entirely unpacity for the positions they occu- heeded by some of the almost encorpied. The effect of this policy on rigible Bourbon members of the asthe general interests of the Territo- sociation. Notwithstanding the elory has been disastrous. Men who quent appeals made to senators, the had money and who desired to in- confirmation of Mr. Douglass revest in lands in this Territory, were reived the unanimous vote of repubdeterred from doing so by reason of lican senators and four, it is reporthe unsatisfactory condition of land ted, from the democratic side. Sixtitles. They said if the title of the teen years ago to-day people of Mr. Max well Grant is not good, then is Douglass' color were being bought no grant in the Territory good. and sold openly in this market, and it. Capitalists would not invest, and perhaps the most inveterate skeptics settlers would not occupy them as may be able to see in his confirmagovernment lands. Hence the best tion, taken in connection with the portions of the Territory have re- other fact just mentioned, evidence mained in statu quo, the lands have that the world does move, and that not been taken up and improved the republican party must be creditand all enterprises have been stifled. ed with having accomplished this Now, as Secretary Schurz has knowl long stride toward universal repubedge of the decisions of the courts, lican government. It is said that and proposes to be governed by them, | Professor Langeton, another almost as eminent on advocate of the extension to his race of the principles of the declaration of independence, gress is the all sufficient title to a will receive a prominent appointtract of land, but the letters patent ment. The senate finally adjourned are the best evidence of this title. on Saturday, after having provided Let patents be granted to all the the means for a thorough investigation of "Gcbbles" right to a seat in ico, and the Territory will take a the body. But many, very many, great step forward. The land can feel that the failure to grapple with the Kellogg case and settle it definitely, was an injustice to that gentleman, and un evasion of duty which bears the impress of excessive caution, if not of timidity. The ranks of the besiegers about the White House are gradually becoming more and more attenuated as they

> to the alministration. The crowds about the Methodist Foundry Church yesterday forgot the requirements of good breeding, in their determination to get a close view of the President and his family, as they retired from that place of worship. Shoul! Mrs. Hayes persist in her present style of dressing and the strict attendance at church, that has so far marked her Washington life, she may do much to bring into disrepute the present "loud style" and dress and ornament so largely affected in "good society," besides other desirable reforms, and make charch going more popular, while convincing mas ny skeptics, that there is one woman, at least, that regards a consistent life as very becoming to a profession. of christianity. She has gained the reputation of being a very constant attendant at church, both at day and evening service, and also at the class meeting, always joining in the singing, and whelly addicted to the primitive style of walking to church and kneeling at prayer time.

that there has been no adverse de-

cision in the matter of official rota-

have waxed strong in their devotion

Many republicans here will not admit the truth of the common report to the effect that the President Louisiana. They would regard such a movement as premature and look upon it with many misgivings, having no other assurance that the attrocities practiced upon the Unionists of those States during the past sixteen years will not be again inaugurated almost before the blood of the victims of the last campaign has become dry, than the pledges of a few politicians, who have either cussions and agitations that would been indisposed or unable to prevent them in the past. There is certainly very little in the public utterances of the democratic leaders in reach of themselves, if let alone, congress within that time, that leads to the belief that these outrages have ever been so effectively rebuked, nation of that most eminent repre- that their recurrence is altogether sentative of the colored race, Fred. an unlikely event. But we will Douglass, as marshal of the District, await future developments, hoping encountered a good deal of opposi- for a wise solution of every embara terior of the office and assured a full He also makes wig

rassing problem, in such way that it attendance for the following night. need not to be repented of.

MAXWELL.

WASHINGTON, D. C. March 20th, 1877. Editor Las Vegas GAZETTE:

The Senate adjourned last Saturday, its two last acts being to confirm the President's appointment of Hon. Fred. Douglass to the office of marshal for the District of Columbia, and to authorize a committee to investigate the legality of Grover's election to the Senate. The committee was appointed, money for its expenses appropriated, and is to sit during the recess. There is much talk about an extra session, but nothing definite is known in regard to

The chief interests of the political world are now concentrated upon the South Carolina and Louisiana Governments. Delegations and petitions are continually pouring in upon President Hayes; but that gentleman does not in the least commit himself, although listening patiently and respectfully to all complaints and grievances. He simply replies that he shall give the matter referred to his most serious attention and subject it to the fullest examination, and that it is his intention to have the affairs settled as soon as practicable. The question is to be considered by the cabinet to-day, and it is very generally believed that a commission in an unofficial capacity, consisting of Vice President Wheeler, Mr. Foster, of Ohio, possibly Stanley Matthews and probably some others, will go to New Orleans, to try to bring about a compromise, based on the reorganization of the legislature and of the vote of governor by it. Pending the efforts of the rival claimants to settle the controversy, it is become enlighted relative so the fact thought by many that the extra session of congress will be called late in May, or the very first of June. tion, whereat the department clerks

> The public of our city were treated last week to a very enjoyable entertainment by the Jews of Washington. They gave a fair and festivel for the benefit of the Adas Israel Congregation, and the perfection of its arrangements and execution has been seldom, if ever, equal ed here. There were many ways and means devised to attract patronage, but not the least effective were the handsome faces to be seen in their hall. There were large numbers of children in attendance upon the booths and tables, and such beantiful children! I think none but Jewish children have such lovely faces. I have never seen an ugly Hebrew child. The first thing I observed upon entering the hall was a groupe of dolls-all dressed in deep mourning, the largest in widow's weeds, the others as children, and just before them was a little basket, libeled "Help the Widow and Orphans," The different lodges of Israelites had booths arranged about the sides of the hall, which were filled with everything conceiv. able variety of fancy articles for sale. At one end was a cake table, the centre piece on which was a huge pyramidal cake, frosted and ornamented lavishly, containing a gold ring. This cake was ruffled for and tickets to the number of 150 sold for it. Another table was loaded down with choice fruit, temptingly arranged and tended by a sweetfaced, bright-eyed girl, whom no one could pass by. In the centre of the room was the flower-stand, a very bower of beauty, mosses, plants, nosegays, baskets, touquets of every size and style, singing birds in cages, and all such sweet and lovely things, But the centre of attraction was the telegraph and postoffice, the windows and doors of which were surrounded by an eager crowd the whole time. Real wires were in connection and a telegram received from the Executive Mansion one evening from President Hayes to the effect that he and his family would attend the fair next evening, was exhibited on the ex-

Their Let gain was \$1,800.

The Sabbath is going to be, it seems, a sober, quiet day at the White House. The President makes it a point to do no business on Sunday that can be transacted as well on other days. Mrs. Hayesis a devout member of the Metholist church, and her husband attends with her. She kneels in prayer, joins in congregational singing, attends class meeting and conscientiously performs all the acts of a faithful church-member. The Foundry Church has been decided upon as the place of worship of the presidential family, instead of the Metropolitan, which was Grant's church, as being nearer, an I Mrs. Hayes prefers walking to church thereby relieving her servants and horses from Sunday duty.

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J. C. STALCUP.

Attorney at Law.

Las Vegas Hot Springs.

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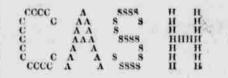
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